

Senate Chamber, Atlanta, Georgia  
Monday, January 22, 2007  
Fifth Legislative Day

The Senate met pursuant to adjournment at 1:00 p.m. today and was called to order by the President.

Senator Balfour of the 9th reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following communications were received by the Secretary:

**OFFICE OF LIEUTENANT GOVERNOR**  
240 STATE CAPITOL  
ATLANTA, GEORGIA 30334

CASEY CAGLE  
LIEUTENANT GOVERNOR

January 20, 2007

Hon. Bob Ewing  
Secretary of the Senate  
The State Senate  
Atlanta, GA 30334

Dear Bob:

This letter serves as official notice that the following Senator has appointed an ex-officio member of the following committee:

Senator Eric Johnson – Natural Resources

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

/s/ Casey Cagle  
Lt. Governor of Georgia

**OFFICE OF LIEUTENANT GOVERNOR**  
240 STATE CAPITOL  
ATLANTA, GEORGIA 30334

CASEY CAGLE  
LIEUTENANT GOVERNOR

January 22, 2007

Hon. Bob Ewing  
Secretary of the Senate  
The State Senate  
Atlanta, GA 30334

Dear Bob:

This letter serves as official notice that the following Senators have been appointed as members of the Metropolitan Atlanta Rapid Transit Overview Committee:

Senator John Wiles, Vice Chair  
Senator Vincent Fort  
Senator Judson Hill  
Senator David Shafer

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

/s/ Casey Cagle  
Lt. Governor of Georgia

The President introduced the Honorable John J. Ellington, who administered the oaths of office to Senator-elect Gloria Butler. Senator-elect Butler came to the well of the Senate to take the following oaths of office:

"I do solemnly swear or affirm that I will support the constitution of this state and of the United States and, on all questions and measures which may come before me, I will so conduct myself as will, in my judgment, be most conducive to the interests and prosperity of this state.

I further swear or affirm that I am not the holder of any unaccounted for public money due this state, or due any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the united states, of any other state,

or any foreign state, which by law I am prohibited from holding, that I have been a resident of my district for the time required by the constitution and the laws of this state, that I am otherwise qualified to hold said office according to the constitution and laws of Georgia.

So help me God."

#### LOYALTY OATH

"I am a citizen of the State of Georgia and a member of the General Assembly and the recipient of public funds for services rendered as such officer and I do hereby solemnly swear and affirm that I will support the Constitution of the United States and the Constitution of the State of Georgia.

So help me God."

The following Senate legislation was introduced, read the first time and referred to committee:

SB 1. By Senators Johnson of the 1st, Williams of the 19th, Hamrick of the 30th and Wiles of the 37th:

A BILL to be entitled an Act to amend Part 2 of Article 3 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to offenses related to minors generally, so as to provide that it shall be unlawful for persons required to register as sexual offenders to photograph a minor; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Judiciary Committee.

SB 4. By Senators Douglas of the 17th, Rogers of the 21st, Staton of the 18th and Shafer of the 48th:

A BILL to be entitled an Act to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for penalties for making a false statement or aiding or abetting another to do so; to repeal conflicting laws; and for other purposes.

Referred to the Public Safety and Homeland Security Committee.

- SB 25. By Senators Douglas of the 17th, Rogers of the 21st, Staton of the 18th and Shafer of the 48th:

A BILL to be entitled an Act to amend Code Section 40-2-33 of the Official Code of Georgia Annotated, relating to the issuance of license plates, payment and disposition of fees, and compensation of tag agents, so as to require proof of citizenship to obtain a motor vehicle tag; to amend Code Section 40-5-20, relating to driver's license required, surrender of prior licenses, and local licenses prohibited, so as to require proof of citizenship before obtaining a driver's license; to amend Code Section 48-5-40, relating to definitions relative to tax exemptions, so as to change a certain definition; to amend Code Section 48-5-45, relating to application for homestead exemption and unlawful to solicit fee to file application for another, so as to require proof of citizenship before obtaining exemption; to repeal conflicting laws; and for other purposes.

Referred to the Public Safety and Homeland Security Committee.

- SB 26. By Senators Harp of the 29th, Smith of the 52nd, Stoner of the 6th, Adelman of the 42nd, Bulloch of the 11th and others:

A BILL to be entitled an Act to amend Code Section 3-3-7 of the Official Code of Georgia Annotated, relating to the local authorization and regulation of sales of alcoholic beverages on Sunday, so as to provide that in each county in which the sale of alcoholic beverages is lawful in such county and in all municipalities within such county in which the sale of alcoholic beverages is lawful, the governing authority of the county or municipality, as appropriate, may authorize the retail sale of malt beverages and wine at any time on Sundays if Sunday retail sales of malt beverages and wine are approved by referendum; to provide procedures; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Regulated Industries and Utilities Committee.

- SB 27. By Senators Johnson of the 1st and Chapman of the 3rd:

A BILL to be entitled an Act to amend Code Section 52-7-71 of the Official Code of Georgia Annotated, relating to removal and storage of vessels and procedures therefor, so as to provide for revocation of certificates of number for abandoned vessels which have not been redeemed; to prohibit issuing new certificates of number or motor vehicle registrations for abandoned vessels that have not been redeemed; to repeal conflicting laws; and for other purposes.

Referred to the Natural Resources and the Environment Committee.

- SB 28. By Senators Hill of the 32nd, Thomas of the 54th, Rogers of the 21st, Goggans of the 7th, Hudgens of the 47th and others:

A BILL to be entitled an Act to provide a short title; to comprehensively revise the laws of Georgia concerning the provision of health insurance; to amend Title 33 of the O.C.G.A., relating to insurance, so as to provide for the development of consumer driven health insurance plans by the Commissioner of Insurance; to amend Chapter 4 of Title 26 of the O.C.G.A., relating to pharmacists and pharmacies, so as to require pharmacies to submit certain performance and cost data to the Department of Community Health; to amend Title 31 of the O.C.G.A., relating to health, so as to provide for the establishment of a website to provide for other matters relative to the foregoing; to provide effective dates; to provide for applicability; to provide for an automatic repeals under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the Insurance and Labor Committee.

- SB 29. By Senators Staton of the 18th, Shafer of the 48th, Rogers of the 21st, Tolleson of the 20th, Chapman of the 3rd and others:

A BILL to be entitled an Act to amend Part 1 of Article 4 of Chapter 12 of Title 45 of the Official Code of Georgia Annotated, relating to management of budgetary and financial affairs by the Office of Planning and Budget, so as to require the creation of an Internet website on which the public can view the state budget; to provide for the content and capabilities of such website; to provide for other related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Appropriations Committee.

- SB 30. By Senators Staton of the 18th, Douglas of the 17th, Tolleson of the 20th, Jones of the 10th, Murphy of the 27th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to invasions of privacy, so as to prohibit certain uses of the names or pictures of service members of the armed forces of the United States; to provide a penalty; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Special Judiciary Committee.

SR 49. By Senators Pearson of the 51st, Mullis of the 53rd and Heath of the 31st:

A RESOLUTION urging the United States Department of Justice to oppose the proposed unsolicited takeover of Delta Air Lines; and for other purposes.

Referred to the Economic Development Committee.

Senator Thomas of the 2nd asked unanimous consent that Senator Thompson of the 33rd be excused. The consent was granted, and Senator Thompson was excused.

Senator Stoner of the 6th asked unanimous consent that Senator Thompson of the 5th be excused. The consent was granted, and Senator Thompson was excused.

The roll was called and the following Senators answered to their names:

Adelman	Heath	Schaefer
Balfour	Henson	Seabaugh
Brown	Hill,Jack	Seay
Bulloch	Hill,Judson	Shafer,D
Butler	Hooks	Smith
Carter	Hudgens	Staton
Chance	Johnson	Stoner
Chapman	Jones	Tarver
Cowsert	Me V Bremen	Tate
Davenport	Moody	Thomas,D
Douglas	Mullis	Thomas,R
Fort	Murphy	Tolleson
Goggans	Orrock	Unterman
Golden	Pearson	Weber
Grant	Powell	Whitehead
Harbison	Ramsey	Wiles
Harp	Reed	Williams
Hawkins	Rogers	

Not answering were Senators:

Hamrick	Thompson, C (Excused)	Thompson, S (Excused)
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Senator Hamrick was off the floor of the Senate when the roll was called and wished to be recorded as present.

The members pledged allegiance to the flag.

Senator Golden of the 8th introduced the chaplain of the day, Reverend Virgil Daughtery, Jr. of Valdosta, who offered scripture reading and prayer.

Senator Tate of the 38th introduced the doctor of the day, Dr. Spencer Brewer.

Senator Rogers of the 21st asked unanimous consent that the following bill be withdrawn from the Senate Judiciary Committee and committed to the Senate Agriculture and Consumer Affairs Committee:

SB 16. By Senators Rogers of the 21st, Pearson of the 51st, Goggans of the 7th, Heath of the 31st, Carter of the 13th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 11 of Title 4 of the O.C.G.A., relating to general provisions relative to animal protection, so as to change certain provisions relating to inspections, impoundment of animals, and exceptions; to change certain provisions relating to failure to respond, right to hearing, care, and crime exception; to change certain provisions relating to filing a report regarding animal cruelty and immunity; to amend Part 1 of Article 2 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to gambling offenses, so as to change certain provisions relating to dogfighting; to prohibit fighting or baiting and related conduct; to provide for punishments; to define certain terms; to provide a short title; to provide legislative findings and declarations; repeal conflicting laws; and for other purposes.

The consent was granted, and SB 16 was committed to the Senate Agriculture and Consumer Affairs Committee.

The following resolutions were read and adopted:

SR 34. By Senators Tolleson of the 20th, Staton of the 18th, Hill of the 4th and Heath of the 31st:

A RESOLUTION recognizing 2007 as The Year of Aviation in Georgia and recognizing Ben Epps as the father of aviation in Georgia; and for other purposes.

SR 35. By Senator Thomas of the 2nd:

A RESOLUTION honoring and congratulating Lucy Gadsden Solomon on the happy occasion of her 100th birthday; and for other purposes.

SR 36. By Senator Thomas of the 2nd:

A RESOLUTION recognizing and commending Elder Damon J. Rodney; and for other purposes.

SR 37. By Senators Rogers of the 21st and Murphy of the 27th:

A RESOLUTION commending Tyler Truitt Crenshaw; and for other purposes.

SR 38. By Senators Rogers of the 21st and Murphy of the 27th:

A RESOLUTION recognizing and commending Lamar Green for his courageous and exemplary contributions to the Hurricane Katrina relief effort; and for other purposes.

SR 39. By Senators Rogers of the 21st and Murphy of the 27th:

A RESOLUTION recognizing Mike Perry for his outstanding efforts in community outreach for Cherokee County; and for other purposes.

SR 40. By Senators Rogers of the 21st and Murphy of the 27th:

Recognizing the North Metro Miracle League for its outstanding efforts in community outreach for Cherokee County; and for other purposes.

SR 41. By Senators Rogers of the 21st and Murphy of the 27th:

Recognizing Pat Snipes for her outstanding leadership in Cherokee County; and for other purposes.

SR 42. By Senators Rogers of the 21st and Murphy of the 27th:

Recognizing Sandy Kluger for her outstanding leadership of Cherokee County youth basketball programs; and for other purposes.

SR 43. By Senators Rogers of the 21st and Murphy of the 27th:

A RESOLUTION recognizing Vanetta Keyes for her outstanding leadership of The Center Helping Obesity in Children End Successfully, Inc.; and for other purposes.



SR 44. By Senators Rogers of the 21st and Murphy of the 27th:

A RESOLUTION recognizing and commending Nicholas William Markakis on the occasion of his Major League baseball debut; and for other purposes.

SR 45. By Senators Rogers of the 21st and Murphy of the 27th:

A RESOLUTION recognizing Josie Entrekin for her outstanding leadership as a Dogs Deserve Better area representative in Cherokee County; and for other purposes.

SR 46. By Senators Rogers of the 21st and Murphy of the 27th:

A RESOLUTION recognizing Nicole Ebbeskotte for her outstanding leadership in Cherokee County; and for other purposes.

SR 47. By Senators Rogers of the 21st and Murphy of the 27th:

A RESOLUTION recognizing and commending Ms. Leeann Jones and Ms. Diana Calvert for their tireless efforts and exemplary contributions to the Hillside United Methodist Church (UMC) Christmas Angel program; and for other purposes.

SR 48. By Senators Rogers of the 21st and Murphy of the 27th:

A RESOLUTION recognizing and commending Mr. Greg Southers for his courageous and exemplary contributions to the National Transplant Assistance Fund (NTAF); and for other purposes.

SR 50. By Senators Harp of the 29th and Harbison of the 15th:

A RESOLUTION congratulating the Columbus Northern Little Leaguers on winning the Little League Baseball World Series; and for other purposes.

SR 51. By Senator Heath of the 31st:

A RESOLUTION commending the Bremen High School Varsity Competitive Cheerleading Squad; and for other purposes.

SR 52. By Senators Mullis of the 53rd, Heath of the 31st, Smith of the 52nd, Hudgens of the 47th, Bulloch of the 11th and others:

A RESOLUTION recognizing the bicentennial anniversary of General Robert Edward Lee's birth; and for other purposes.

SR 53. By Senator Johnson of the 1st:

A RESOLUTION expressing regret at the passing of Kevin Brophy; and for other purposes.

Senator Williams of the 19th moved that the Senate adjourn until 10:00 a.m. Tuesday, January 23, 2007.

The motion prevailed, and the President announced the Senate adjourned at 1:39 p.m.